

SENATE BILL 543

By Kurita

AN ACT to amend Tennessee Code Annotated, Title 70, Chapter 4, Part 1, relative to the retrieval of wild animals or hunting dogs from the property of another.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 70-4-106, is amended by adding the following language as a new subsection (c);

(c)

(1) Notwithstanding the provisions of subsections (a) and (b), a person engaged in hunting, taking, chasing, or killing a wild animal, wild bird, or wild fowl, may enter upon the land of another without first obtaining the permission or approval of the owners of the land, or of the agent or agents in charge of the land and having authority from the owner to give such permission, but only for the express purpose of:

(A) Retrieving a wild animal, wild bird, or wild fowl which such person has legally hunted and killed or wounded, but which has expired or finally become immobile on land which the person has not obtained permission to enter upon; or

(B) Retrieving a dog which such person has utilized to legally hunt or chase a wild animal, wild bird, or wild fowl and which dog has entered upon land which the person has not obtained permission to enter upon during the course of such hunt or chase.

(2) The right herein conferred is solely for the purpose of retrieving legally hunted and taken wild animals, wild birds, or wild fowl or dogs legally engaged in hunting or chasing such animals, and nothing contained herein shall be construed as permitting a person to continue hunting, taking, chasing, or killing any additional wild animal, wild bird, or wild fowl after entering upon the land of another for such purpose without first

obtaining the permission or approval of the owners of the land, or of the agent or agents in charge of the land and having authority from the owner to give such permission.

(3) In retrieving a wild animal, wild bird, or wild fowl or hunting dog in accordance with this subsection, no person shall enter upon the land of another while carrying a firearm or other weapon, nor shall a person operate an all terrain vehicle or motor vehicle upon the land of another while engaged in any such act of retrieval.

(4) The provisions of this subsection shall also apply to property owned, leased, or otherwise controlled by the state of Tennessee or any department or agency thereof.

(5) The provisions of this subsection are supplemental to the provisions of § 44-8-408 and title 44, chapter 17, part 2.

SECTION 2. This act shall take effect July 1, 2007, the public welfare requiring it.